

Message

From: Pankratz, Shannon L CIV USARMY CESPL (US) [Shannon.L.Pankratz@usace.army.mil]
Sent: 12/16/2020 8:28:57 PM
To: Gan, Janice@Wildlife [Janice.Gan@wildlife.ca.gov]; Scianni, Melissa [Scianni.Melissa@epa.gov]; Mahdavi, Sarvy [Mahdavi.Sarvy@epa.gov]; Steinert, Tiffany@Waterboards [tiffany.steinert@waterboards.ca.gov]
CC: Tracey Brownfield [tracey@landveritas.com]; Nate Bello [bello@wra-ca.com]; Estes, Stephen M CIV USARMY CESPL (US) [Stephen.M.Estes@usace.army.mil]; Marlene Tyner-Valencourt [tyner-valencourt@wra-ca.com]
Subject: IRT Notice of 30 day Amendment Comment Period: Petersen Ranch MB - BEI Amendment to Allow Use of the Combined STD 213/CPA
Attachments: Petersen_2_Bank Enabling Instrument Amendment_2020-11-03.docx; Petersen_3_Exhibit F-2_Credit Sales Agreement 10-06-20.pdf; Petersen_1_Amendment Request Letter_2020-12-09.pdf

Hello IRT members,

Please see the attached amendment (Amendment No.1) request received from the Petersen Ranch Mitigation Bank sponsor. The Corps has determined use of the streamlined review process described in 33 C.F.R. 332.8(g)(2) is appropriate as the use of STD 213/CPA is not a significant change. Per the 2008 Mitigation Rule, the 30-day IRT comment period for this proposed amendment, (technically beginning on December 21st), is through January 18, 2021. Please provide your written agency comments (including via email), or respond that you have no comments, or that you are waiving the 30-day comment period.

All the best and happy holidays,

Shannon Pankratz
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https://www.spl.usace.army.mil/Portals/17/docs/publicnotices/COVID19%20Regulatory_SPN.pdf?ver=2020-03-19-134532-833

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From: Marlene Tyner-Valencourt <tyner-valencourt@wra-ca.com>
Sent: Wednesday, December 9, 2020 3:43 PM
To: Pankratz, Shannon L CIV USARMY CESPL (US) <Shannon.L.Pankratz@usace.army.mil>; Gan, Janice@Wildlife <Janice.Gan@wildlife.ca.gov>; Scianni, Melissa <Scianni.Melissa@epa.gov>; Sarvy Mahdavi <Mahdavi.Sarvy@epa.gov>; Steinert, Tiffany@Waterboards <tiffany.steinert@waterboards.ca.gov>
Cc: Tracey Brownfield <tracey@landveritas.com>; Nate Bello <bello@wra-ca.com>
Subject: [Non-DoD Source] Petersen Ranch MB - BEI Amendment to Allow Use of the Combined STD 213/CPA

Dear Petersen Ranch IRT,

Pursuant to Section XII.D.1 of the Petersen Ranch Mitigation Bank Enabling Instrument ("BEI"), Land Veritas Corp is requesting Exhibit F-2, Credit Purchase Agreement and Payment Receipt Templates, of the BEI be amended to include an additional template Credit Purchase Agreement, and that language be added to the BEI allowing additional templates to Exhibit F-2 of the BEI be included upon written approval of all interagency review team members to provide greater flexibility and reduce time and effort should the need arise to create further templates (i.e., future templates associated with advance/bulk credit purchase). A copy of the proposed amendment is attached for your review.

It has come to our attention that the California Department of Transportation ("Caltrans") is not able to execute the Credit Purchase Agreement Template currently appended in Exhibit F-2 of the BEI to purchase credits from the Corps-approved BEI. The proposed amendment includes using both the Credit Purchase Agreement, as required by the BEI, and the State of California-Department of General Services ("DGS") Standard Agreement 213 (STD 213), as required by DGS for Caltrans use in purchasing credits for Caltrans transportation projects that have been assigned a permit number. Please note the fully executed Credit Purchase Agreement would be attached to the fully executed STD 213, which includes language that the terms of the Credit Purchase Agreement control if there is a conflict between the two.

Sincerely,
Marlene Tyner-Valencourt

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